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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CODY SWAIN,

Defendant.

2:10-CR-364-LRH (RJJ)

FINAL ORDER OF FORFEITURE

On February 25, 2011, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(C), based upon the plea of guilty by defendant CODY SWAIN to criminal offense, forfeiting specific property alleged in the Indictment and agreed to in the Plea Memorandum and shown by the United States to have a requisite nexus to the offense to which defendant CODY SWAIN pled guilty. Docket #40.

This Court finds the United States of America published the notice of the forfeiture in accordance with the law consecutively from March 1, 2011, through to March 30, 2011, on the official government internet forfeiture site, www.forfeiture.gov, notifying all known third parties of their right to petition the Court. Docket #41.

1 This Court finds no petition was filed herein by or on behalf of any person or entity and the
2 time for filing such petitions and claims has expired.

3 This Court finds no petitions are pending with regard to the assets named herein and the time
4 for presenting such petitions has expired.

5 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
6 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
7 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
8 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section
9 2461(C), and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to
10 law:

11 (a) a .38 caliber Beretta handgun bearing serial number H25618Y; and

12 (b) any and all ammunition ("property").

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
14 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well
15 as any income derived as a result of the United States of America's management of any property
16 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
17 according to law.

18 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
19 certified copies to the United States Attorney's Office.

20 DATED this 4th day of May, 2011.

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23 UNITED STATES DISTRICT JUDGE
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